

Today's Topics

Air Compliance

- GP 004 A New Permit for Gasoline Dispensing Facilities
- Boilers/Water Heaters Subpart J6 & NSPS
- Emergency Generators
- Used Oil Burners

Stormwater Permit Compliance

- Review of Stormwater Permitting Program
- · Vehicle Wash Options and Implementation

Spill Prevention Control and Countermeasure (SPCC) Plans

- · Review of Requirements and Applicability
- Implementation

Recycling

- · Changes to Regulations and Policy
- · E-Waste Management & Scavenging

Underground Storage Tank Compliance

- · Compliance Requirements
- · Recordkeeping

Claims and Claim Investigations

- What are they and how do they work?
- Claim Recap (Highlight: Property Transactions)

EJIF Policies

- Underground Piping Testing Requirements and Implementation
- Unregulated Heating Oil USTs Coverage Requirements and Exclusions





Air Compliance - New Gasoline Air Permit

GP-004A for Fuel Dispensing Facilities

- Proposed (not yet adopted) (General Permit; Must use online application)
- Required for Gasoline Tanks 2000 gal or greater
- Replaces existing GP-004 & GP-014 (upon expiration)
- Requires Stage I Vapor Recovery System
- May Require Stage II Vapor Recovery System





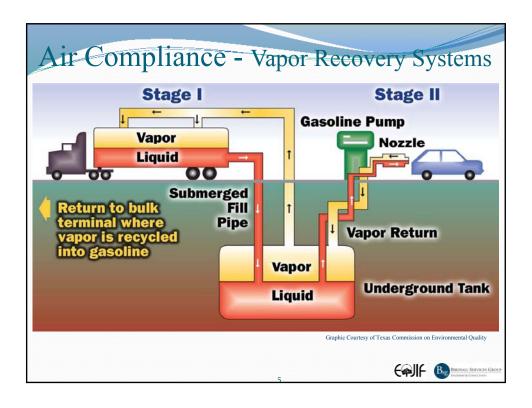
Air Compliance - New Gasoline Air Permit

Vapor Recovery System Applicability:

- All E85 Tanks Stage I
- Gasoline Monthly Throughput
 - < 10,000 gal
 - Commenced operation on or before June 29, 2003 Stage I
 - Commenced operation after June 29, 2003 Stage I & Stage II
 - 10,000 gal < 9 MM gal Stage I & Stage II
 - 9MM gal < 15 MM gal Stage II, Stage II and additional Vapor **Recovery System Control**
- When you renew your existing permit(s) (GP-004, GP-014) the GP-004A becomes effective. Continue to operate under your existing permit until it expires.









Air Compliance - Boilers/Water Heaters

EPA Boiler Rule - Subpart J6 (40 CFR Part 63 JJJJJJ)

Applicability:

· Boilers burning fuel oil, coal or biomass, regardless of size

Exemptions:

- Boilers burning natural gas, landfill gas, biogas or propane
- Domestic water heaters (< 120 gal)
- Boilers used as control devices, waste heat boilers, and used for research and development

Requirements:

- Initial Notification Report to EPA by 7/19/12
- Tune up every other year
- One time energy assessment if ≥ 10 MMBTU by 3/21/14
- Initial testing for particulate matter (PM) for new large boilers (≥ 10MMBTU), repeated every three years









Air Compliance - Boilers/Water Heaters

Boilers 5 MMBTU/hr and greater (NJDEP)

- Annual combustion adjustment (tune up):
 - Failure to conduct testing
 - Failure to report (electronic)
 - Penalty: \$500 \$2,000 (first offense; based on boiler size)

Boilers 10 MMBTU/hr and greater (USEPA)

NSPS Requirements (40 CFR Part 60 Subpart Dc)

Applicability:

- Boilers ≥ 10 Million BTU/hr
- Installed after 1989

Requirements:

- Initial notification to EPA
- · Monthly fuel monitoring
- Reporting requirements (if using Fuel Oil)
 - · Semi-annual report on fuel use, and sulfur content in fuel









Air Compliance - Emergency Generators

Requirements:

- Air permit required if ≥ 1 Million BTU/hr (MMBTU/hr) (~80 kW)
- Keep records for EGs ≥ 37 kW
 - Testing/Maintenance
 - Emergency
- Check air quality prior to testing
 - Check entire state (not just your region)
 - Must be "Good" or "Moderate"
 - No testing/maintenance on bad air quality days

Penalties:

- Unauthorized use:
 - · Operation on unacceptable air quality days
 - Unlawful Demand Response operation (non-emergency)
 - Penalty: \$1,200 (first offense)
- · Recordkeeping:
 - Failure to properly document testing/maintenance/emergency operations
 - Penalty: \$500 (first offense)

Calculating Gross Heat Input

- Measured in:
 - British Thermal Units per hour (BTU/hr) or
 - Million BTU per hour (MMBtu/hr)
- "AP42" energy values:
 - Diesel Fuel = 142,000 BTU per gallon
 - Natural Gas = 1,050 BTU per cubic foot
- Calculation:
- Multiply max fuel consumption x energy value = BTU/hr
- Examples:
- Diesel: 7.04 gph x 142,000 BTU/gal = 1.00 MMBTU/hr
- NG: 953 cf/hr x 1,050 BTU/cf = 1.00 MMTBU/hr

•Conclusion:

• In both examples these generators require a permit







Air Compliance - Used Oil Heaters

Applicability:

ALL used oil heaters are regulated by NJDEP

Requirements:

- Heater(s) <u>under 500,000</u> BTU/hr
 - Must Register with NJDEP
 - Multiple heaters allowed if combined heat input <500,000 BTU/hr
 - Penalty for not registering: \$200 (first offense)
- Heater(s) \geq 500,000 BTU/hr
 - Requires a Pre-Construction Permit from NJDEP









Air Compliance - Used Oil Heaters

Installation Requirements:

- May be used only for space heating or heating water
- Must use standard/certified equipment
- Must use oil generated on-site or from household do-it-yourselfers
- Stack height
 - At least 20 ft above grade
 - Higher than the roof of the building
- Tune up & combustion adjustments:
 - · At startup & annually thereafter
 - CO & oxygen measurements
 - · Recordkeeping







Air Compliance - Used Oil Heaters

Fuels Allowed:

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Any one or a mix

- crankcase oil
- transmission fluid
- · power steering fluid
- brake fluid
- commercial fuel oil #1 & #2
- used oil from vehicles

Fuels Not Allowed:

Following substances can not be added to the used oil:

- antifreeze,
- · carburetor cleaner,
- paint thinner,
- paint,
- part degreaser solvents,
- gasoline,
- · oil additives,
- chlorinated solvents,
- battery acid,
- other hazardous wastes

EJIF Seminar 2012





Air Compliance - Used Oil Heaters

Why all the fuss???

- Used oil generally a mix of different products
- Burns differently than commercial fuel oil
- Generates a greater variety and concentration of pollutants*
- Impact on air quality
- Pose health risks

* CO, CO2, NOx, Hydrocarbons, Particulate matter





Stormwater Permit Compliance (Stormwater Pollution Prevention Plan Implementation) Compliance Requirements • Annual... • Monthly... • Ongoing...

Stormwater Permit Compliance

Annual Requirements (and Permit applicability—Tier A, Tier B, 5G2)

- Local Public Education (A, B)
 - NJDEP approved activities (Permit Attachment E)
 - Must add up to 10 points
- Storm Drain Inlet Labeling & Maintenance (A, B)
- Catch Basin Inspection & Cleaning (A)
 - Proper storage of cleanout material
- Employee Training Program (A, B, 5G2)
 - · All employees on topics applicable to their job and title
- Review/Updates to SPPP (A, B, 5G2)
- Annual Certification/Inspection (A, B, 5G2)
 - Submitted electronically
 - Due May 2, annually (A, B)
 - Due Annually in your assigned month (5G2)

www.nj.gov/dep/dwq/pdf/tier a existing final full permit.pdf





Stormwater Permit Compliance

Monthly Requirements

- Street Sweeping (A)
 - Required roadways
 - Recordkeeping



- SOP/BMP Implementation & Recordkeeping (A, 5G2)
 - · Good housekeeping
 - Vehicle maintenance
 - Bulk fuel operations
 - Salt/de-icing material storage
- Salt storage (A, 5G2)
 - · Permanent structure required







Stormwater Permit Compliance

Ongoing Requirements

- Storm Drain Inlet Retrofitting (A)
- Stormwater Facility Maintenance (A, B)
- Outfall Pipe Stream Scouring Remediation (A)
- Illicit Connection Investigation Program (A)
 - Ongoing day to day
 - Responding to complaints
- Ordinance Enforcement (A), (B-Fertilizer Mgt Ordinance only)
 - Pet Waste
 - Litter Ordinance
 - Improper Disposal of Waste
 - · Wildlife Feeding
 - Yard Waste
 - Refuse Container/Dumpster
 - Fertilizer Management (non-tidal Passaic basin only)
 - Private Storm Drain Inlet Retrofitting





Stormwater Permit Compliance

Equipment & Vehicle Washing (A, B, 5G2)

Applicability:

• Eliminate unpermitted wash waters (with or without detergent) to the waters of the state

Exemptions:

- Clean water for beach & de-icing vehicles
- Fire-fighting vehicles

Options:

- Install a vehicle wash reclaim/recycling system
- Capture/haul waste water for proper disposal
- Connect to the sanitary system with proper permits
- Cease the activity
- Acquire a separate NJPDES permit for the discharge
- More...



Stormwater Permit Compliance

Equipment & Vehicle Washing – More Options

On-site Service Providers

• Full Service Providers (e.g. Fleetwash)

Off-site Service Providers

- Car/Truck wash facilities
- Service Stations/Truck Stops (e.g. Petro)

Product Manufacturers

- Plastic sheeting/Pumps
- Vehicle Wash Bays (\$\$\$)

Shared Services

- Municipalities/Utility Authorities
- County/State/Commission facilities







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Spill Prevention Control & Countermeasure

Applicability:

- Aboveground storage of oil products totaling ≥ 1320 gallons,
- All containers ≥ 55 gallons including drums & oil-filled equipment, AND
- A spill could potentially impact "navigable" waters (Navigable waters = all surface waters of the State of NJ)
- Tier 1 Qualified Facilities
 - \leq 10,000 gal. aggregate storage; \leq 5,000 gal. container; 3-yr no spill history
 - Can use EPA's Template Plan (Appendix G) and can self-certify
 - Can not use Environmentally Equivalent Alternatives
- Tier 2 Qualified Facilities
 - ≤ 10,000 gal. aggregate storage; > 5,000 gal.; 3-yr no spill history
 - Requires full plan (cannot use EPAs template), but can self-certify
 - Can not use Environmentally Equivalent Alternatives
- Non-Qualified Facilities
 - All other applicable facilities
 - Requires full plan (cannot use EPAs template)
 - Requires PE Certification

www.epa.gov/osweroe1/content/spcc/tier1temp.htm





Spill Prevention Control & Countermeasure

Requirements:

- Develop and Implement SPCC Plan
- Site Diagram of fixed containers and areas that store mobile containers
- Secondary Containment
 - Must be "sufficiently impervious"
 - · Tank, hose and transfer area
 - Includes <u>USTs</u> bulk transfer areas
 - · Can be active or passive
- Integrity Testing
 - · Primary tanks need industry standard integrity testing or inspections
 - Deviations from industry standard require PE Certification
- Inspection Schedule
- Annual Employee Training
- · Recordkeeping







Spill Prevention Control & Countermeasure

Implementation:

- Site Diagram
 - · GIS/survey
 - Free mapping (e.g. Google or Bing Maps)
 - · Use photocopies from map books
- Secondary Containment for Tanks
 - Double Wall Tanks
 - · "Bathtubs"
 - Constructed Walls (cinder blocks, concrete, asphalt)
- Secondary Containment for Transfer Area
 - Install permanent berms/dikes/pits with stormwater valves
 - · Retractable berms to facilitate traffic
 - · Storm drain mats
 - · Landscaping/site grading





Recycling

Certified Recycling Professionals (CRPs) and tonnage report submissions

- CRP to "sign" (submit via E-mail) all Tonnage Reports or risk losing Tonnage Grant
- Personnel not certified (according to NJDEP and Rutgers University) may not submit reports, even if authorized by municipality.
- Municipalities without a CRP State suggests Shared Services



NJDEP Assistant Commissioner Kozinski urges Mayors to look at outdoor recycling:

- Community outdoor events
- Private events on public property
- In public recreation areas
- In addition:
 - Recycling receptacles should always be made available wherever people congregate;
 - Large outdoor kiosks or recycling "stations" help remind residents of their duty.





Recycling

E-waste Recycling

- Universal Waste Rules require ALL electronics, including televisions, must be stored in fully enclosed containers
 - Do not leave large televisions outside of containers, despite what E-waste collection vendors may request.
- Scavenging
 - Defined in most municipal ordinances as theft
 - Decreases commodity value
 - · Increases disposal costs
 - Hazardous waste residue
 - Solutions
 - Anti-scavenging Rules (junk/scrap yard intake)
 - Municipal enforcement sting operations have proven successful
 - Easiest Solution = Discontinue/modify curbside collection of E-waste
 - · Monitor municipal depots
 - Negotiate resident drop-off directly to venders/de-manufactures
 - Special collection events







Recycling

Food/FOG Recycling

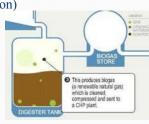
- Potential for greatest gain in recycling tonnages
- Grant Money available from NJDEP, Sustainable Jersey, etc.

Food Waste

- By the Numbers:
 - · Americans waste 20 lbs/person/month*
 - Food Waste "eats up" 25% of freshwater consumption; 4% of oil*
 - Food Waste accounts for 25% of methane emissions in US*
- No large scale food waste recycling facilities in NJ
- Several on the horizon (Camden, Ocean, Essex/Union)
- Home/Backyard composting
 - · Reduces solid waste disposal costs
 - · Increases MSW recycling rate

Fats, Oils and Grease (FOG)

- "Bio Slurry" blended food waste
- Fed into wastewater treatment plant digesters
- Creates biogas (CH4) for generating heat, electricity







Recycling

Vegetative Composting

- Any quantity of yard waste on ground requires authorization (Approval, Limited Approval, Exemption)
- NJDEP increasing enforcement of permitting, documentation, and site management

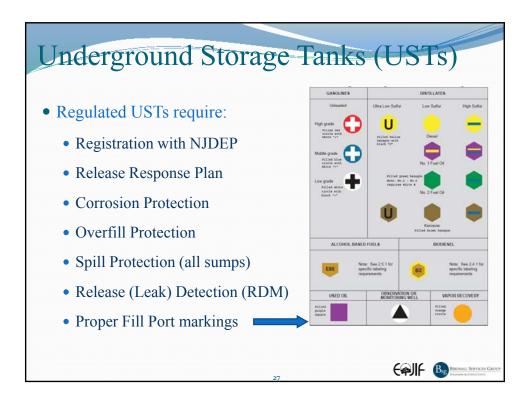
Urban Recycling (Multi-family, et.al.)

- Roundtable discussion in Trenton on June 28
 - Representatives from the largest NJ cities
 - · Challenges discussed:
 - Space limitations in older multifamily buildings, within dwelling units and consolidation
 - Education and enforcement of a transient, multi-ethnic, population
 - Findings and conclusions to be released by NJDEP











Underground Storage Tanks (USTs)

What do I need to do?

- Annually
 - Recertification of the Release Detection Monitoring (RDM) systems



- Monthly
 - Sump, fill port, and dispenser inspection logs
 - Keep evidence of leak detection tests (e.g. **sensor status** print-outs)
 - Note: if your system does not have a print option, document tests in a log book.
- Pre-Delivery
 - · Spill bucket inspection log
- Ongoing
 - Release Response Plan Posted
 - Current UST Registration Posted
- Additional Recordkeeping
 - · Cathodic protection records



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EJIF Claims & Investigations

What is an environmental discharge?

- A release of a hazardous substance (e.g. oil, antifreeze, contaminated materials, sewage, etc);
- The release is into surface water, groundwater or onto lands in New Jersey, or the release is outside New Jersey but may damage lands, waters or natural resources in New Jersey;
- The release did not occur within the limits of a valid and effective federal or state permit; and
- The release is not otherwise exempt from notification requirements by New Jersey law.

What is a claim investigation?

- A claim investigation is triggered when an EJIF member experiences and reports a real or anticipated financial loss as a result of an environmental discharge and/or remediation efforts.
- A claim investigation is not required when there is no impact to the environment or when there will be no request to the FUND for reimbursement for the subsequent clean-up.
- Results of the claim investigation are reported to the Claims Administrator who makes coverage determinations

24/7 Claim Hotline 800-289-6681





EJIF Claims - Claim Highlight

Property Transactions

- Due-diligence can limit risk exposure for you and the Fund.
 - BSG issues NJDEP's "Known Contaminated Site List" to each municipality with the annual Audit Report.
 - EJIF membership provides FREE property investigations to look for visible and/or documented areas of concern or known contamination.
 - A Preliminary Assessment and/or Phase 1 Investigation should be conducted in many cases
- Consequences
 - Members have discovered contaminated soil, underground storage tanks, hazardous materials, etc. on acquired properties, resulting in great expense to analyze, remove and remediate.





EJIF Claims - Claim Highlight

Underground Piping (UGP)

- Underground leaks may go undetected for a long time, leaving the entity extremely vulnerable to expensive claims that may even exceed the EJIF level of protection.
- Seaside Park (1997)
 - · Leak from the DPW UGP
 - Conditional NFA issued by NJDEP 2011
- Bayshore Regional Sewerage Authority (2004)
 - Diesel leak from Treatment Plant UGP
 - Conditional NFA issued by NJDEP 2012
- Haddonfield (2010)
 - Diesel leak from DPW UGP
 - Compliant with SPCC corrosion protection
 - Ongoing









EJIF Policies - ASTs w/ UGP

Aboveground Storage Tanks (ASTs) with Underground Piping (UGP) (Continued)

Applicability:

- All ASTS which are equipped with buried product piping and which convey the following:
 - Motor fuel; OR
 - Petroleum products...; OR
 - · All substances ... listed in Appendix A of N.J.A.C. 7:1E (hazardous substances); OR
 - · Used oil (Waste oil).

• Members who maintain continuous compliance with N.J.A.C 7:14B-4 and 7:14B-6 (UST Rules)

Requirements:

- Conduct a biennial industry standard integrity test of all underground piping (inner and outer piping); OR
- Maintain compliance with N.J.A.C 7:14B-4 and 7:14B-6; OR
- Relocate underground piping above ground so it can be inspected.

• Effective for all existing and new members beginning 3/17/12, with a compliance deadline of 7/1/13.

Submit the testing results of one of the approved testing processes and an invoice to BSG. Upon review, the results will be forwarded to EJIF (PERMA) for reimbursement of up to \$400.00 per tank.





EJIF Policies - URHOTS

UnRegulated Heating Oil Tanks (URHOTs)

- EJIF currently provides coverage for USTs containing 2000 gallons or less of heating oil for on-site consumption that are not regulated by USEPA or NJDEP.
- Until the mid 1980's, most USTs were made of bare steel, which was likely to corrode over time and allow the contents of the tank to leak into the environment. The expected lifespan of an unprotected single wall steel underground storage tank is approximately 15 years.
- Since these tanks undergo far less maintenance and scrutiny than regulated tanks, and because these tanks almost always have fewer safeguards against failure, the EJIF Executive Committee has approved the recommendation to discontinue coverage for unregulated tanks that exceed the 20 year age limit by January 1, 2014.



Resources located at www.njejff.org Air Compliance Spill Prevention Control and Countermeasure (SPCC) Plans

- NJDEP AQPP Webpage: <u>www.state.nj.us/dep/aqpp</u>
- NJDEP Air General Permit Help Line: 609-633-2829
- NJDEP Air Rules: N.J.A.C. 7:27 & Permitting Guidance
- Draft GP-004A Fuel Dispensing Facilities
- New Jersey Small Business Environmental Assistance Program Fuel Dispensing Facilities - Compliance Calendar 2012
- Air Quality Forecast Data & Sample Emergency Generator Recordkeeping Forms
- 40 CFR Part 63 Subpart JJJJJJ <u>EPA Boiler Rule</u> & <u>Initial Notification</u> Report Form
- 40 CFR Part 60 Subpart Dc <u>EPA NSPS Rule</u>
- Used Oil Burner Information and Registration Form

Stormwater Permit Compliance

- NJDEP Stormwater Webpage: <u>www.nj.gov/dep/dwq/msrp_home.htm</u>
- NJDEP Stormwater Contact Line: (609) 292-0407 or (609) 633-7021
- NJDEP NJPDES Rules: N.J.A.C. 7:14A
- Tier A Stormwater General Permit
- Tier B Stormwater General Permit
- 5G2 Stormwater General Permit
- Sample Recordkeeping Logs
- SOP Checklist Good Housekeeping
- SOP Checklist Vehicle Maintenance
- Source Material Inventory

- EPA SPCC Webpage: <u>www.epa.gov/emergencies/content/spcc</u>
- EPA Region 2 Contact: <u>www.epa.gov/osweroe1/content/regional.htm#r2</u>
- Model SPCC Plan & EPA Model SPCC Template (Tier 1 Qualified Facilities only)

Recycling

- NJDEP Recycling Website: <u>www.nj.gov/dep/dshw/recycling</u>
- Help Line: 609-984-3438
- Recycling & Universal Waste Rules: <u>N.J.A.C. 7:26A</u> & <u>Universal Waste</u>
 Guidance
- NRDC Food Waste Study Report
- Grant Opportunities: <u>NJDEP Food Waste</u>; <u>Sustainable Jersey</u>
- Recycling Exemption Form

Underground Storage Tank Compliance

- NJDEP SRP Website: <u>www.nj.gov/dep/srp</u>
- NJDEP UST Rules: N.J.A.C. 7:14B & Guidance
- USEPA UST Guidance
- Model Release Response Plan Form & NJDEP LSRP Letter
- UST Fill Port Markings
- <u>UST Sample Recordkeeping Logs</u>
- Known Contaminated Sites List

New EJIF Policies

- AST with UGP Policy
- URHOT Policy





